

per year), as determined in accordance with § 63.1282(a)(2).

(e) Record the following when using a flare to comply with § 63.1281(d):

(1) Flare design (i.e., steam-assisted, air-assisted, or non-assisted);

(2) All visible emission readings, heat content determinations, flowrate measurements, and exit velocity determinations made during the compliance determination required by § 63.1282(d)(2); and

(3) All periods during the compliance determination when the pilot flame is absent.

§ 63.1285 Reporting requirements.

(a) The reporting provisions of subpart A, of this part that apply and those that do not apply to owners and operators of facilities subject to this subpart are listed in Table 2 of this subpart.

(b) Each owner or operator of a facility subject to this subpart shall submit the information listed in paragraphs (b)(1) through (b)(6) of this section, except as provided in paragraph (b)(7) of this section.

(1) The initial notifications required for existing affected sources under § 63.9(b)(2) shall be submitted by 1 year after an affected source becomes subject to the provisions of this subpart or by June 17, 2000, whichever is later. Affected sources that are major sources on or before June 17, 2000 and plan to be area sources by June 17, 2002 shall include in this notification a brief, non-binding description of a schedule for the action(s) that are planned to achieve area source status.

(2) The date of the performance evaluation as specified in § 63.8(e)(2), required only if the owner or operator is requested by the Administrator to conduct a performance evaluation for a continuous monitoring system. A separate notification of the performance evaluation is not required if it is included in the initial notification submitted in accordance with paragraph (b)(1) of this section.

(3) The planned date of a performance test at least 60 days before the test in accordance with § 63.7(b). Unless requested by the Administrator, a site-specific test plan is not required by this subpart. If requested by the Ad-

ministrator, the owner or operator must also submit the site-specific test plan required by § 63.7(c) with the notification of the performance test. A separate notification of the performance test is not required if it is included in the initial notification submitted in accordance with paragraph (b)(1) of this section.

(4) A Notification of Compliance Status Report as described in paragraph (d) of this section;

(5) Periodic Reports as described in paragraph (e) of this section; and

(6) Startup, shutdown, and malfunction reports, as specified in § 63.10(d)(5), shall be submitted as required. Separate startup, shutdown, or malfunction reports as described in § 63.10(d)(5)(i) are not required if the information is included in the Periodic Report specified in paragraph (e) of this section.

(7) Each owner or operator of a glycol dehydration unit subject to this subpart that is exempt from the control requirements for glycol dehydration unit process vents in § 63.1275, is exempt from all reporting requirements for major sources in this subpart for that unit.

(c) [Reserved]

(d) Each owner or operator of a source subject to this subpart shall submit a Notification of Compliance Status Report as required under § 63.9(h) within 180 days after the compliance date specified in § 63.1270(d). In addition to the information required under § 63.9(h), the Notification of Compliance Status Report shall include the information specified in paragraphs (d)(1) through (d)(10) of this section. This information may be submitted in an operating permit application, in an amendment to an operating permit application, in a separate submittal, or in any combination of the three. If all of the information required under this paragraph have been submitted at any time prior to 180 days after the applicable compliance dates specified in § 63.1270(d), a separate Notification of Compliance Status Report is not required. If an owner or operator submits the information specified in paragraphs (d)(1) through (d)(9) of this section at different times, and/or different submittals, later submittals may refer to

earlier submittals instead of duplicating and resubmitting the previously submitted information.

(1) If a closed-vent system and a control device other than a flare are used to comply with § 63.1274, the owner or operator shall submit:

(i) The design analysis documentation specified in § 63.1282(d)(4) of this subpart if the owner or operator elects to prepare a design analysis; or

(ii) If the owner or operator elects to conduct a performance test, the performance test results including the information specified in paragraphs (d)(1)(ii)(A) and (B) of this section. Results of a performance test conducted prior to the compliance date of this subpart can be used provided that the test was conducted using the methods specified in § 63.1282(d)(3), and that the test conditions are representative of current operating conditions.

(A) The percent reduction of HAP or TOC, or the outlet concentration of HAP or TOC (parts per million by volume on a dry basis), determined as specified in § 63.1282(d)(3) of this subpart; and

(B) The value of the monitored parameters specified in § 63.1283(d) of this subpart, or a site-specific parameter approved by the permitting agency, averaged over the full period of the performance test.

(2) If a closed-vent system and a flare are used to comply with § 63.1274, the owner or operator shall submit performance test results including the information in paragraphs (d)(2)(i) and (ii) of this section.

(i) All visible emission readings, heat content determinations, flowrate measurements, and exit velocity determinations made during the compliance determination required by § 63.1282(d)(2) of this subpart, and

(ii) A statement of whether a flame was present at the pilot light over the full period of the compliance determination.

(3) The owner or operator shall submit one complete test report for each test method used for a particular source.

(i) For additional tests performed using the same test method, the results specified in paragraph (d)(1)(ii) of this

section shall be submitted, but a complete test report is not required.

(ii) A complete test report shall include a sampling site description, description of sampling and analysis procedures and any modifications to standard procedures, quality assurance procedures, record of operating conditions during the test, record of preparation of standards, record of calibrations, raw data sheets for field sampling, raw data sheets for field and laboratory analyses, documentation of calculations, and any other information required by the test method.

(4) For each control device other than a flare used to meet the requirements of § 63.1274, the owner or operator shall submit the information specified in paragraphs (d)(4)(i) through (iii) of this section for each operating parameter required to be monitored in accordance with the requirements of § 63.1283(d).

(i) The minimum operating parameter value or maximum operating parameter value, as appropriate for the control device, established by the owner or operator to define the conditions at which the control device must be operated to continuously achieve the applicable performance requirements of § 63.1281(d)(1) or (e)(3)(ii).

(ii) An explanation of the rationale for why the owner or operator selected each of the operating parameter values established in § 63.1283(d)(5) of this subpart. This explanation shall include any data and calculations used to develop the value, and a description of why the chosen value indicates that the control device is operating in accordance with the applicable requirements of § 63.1281(d)(1) or (e)(3)(ii).

(iii) A definition of the source's operating day for purposes of determining daily average values of monitored parameters. The definition shall specify the times at which an operating day begins and ends.

(5) Results of any continuous monitoring system performance evaluations shall be included in the Notification of Compliance Status Report.

(6) After a title V permit has been issued to the owner or operator of an affected source, the owner or operator

of such source shall comply with all requirements for compliance status reports contained in the source's title V permit, including reports required under this subpart. After a title V permit has been issued to the owner or operator of an affected source, and each time a notification of compliance status is required under this subpart, the owner or operator of such source shall submit the notification of compliance status to the appropriate permitting authority following completion of the relevant compliance demonstration activity specified in this subpart.

(7) The owner or operator that elects to comply with the requirements of § 63.1275(b)(1)(ii) shall submit the records required under § 63.1284(c).

(8) The owner or operator shall submit an analysis demonstrating whether an affected source is a major source using the maximum throughput calculated according to § 63.1270(a).

(9) The owner or operator shall submit a statement as to whether the source has complied with the requirements of this subpart.

(10) The owner or operator shall submit the analysis prepared under § 63.1281(e)(2) to demonstrate that the conditions by which the facility will be operated to achieve an overall HAP emission reduction of 95.0 percent through process modifications or a combination of process modifications and one or more control devices.

(e) *Periodic Reports.* An owner or operator shall prepare Periodic Reports in accordance with paragraphs (e)(1) and (2) of this section and submit them to the Administrator.

(1) An owner or operator shall submit Periodic Reports semiannually, beginning 60 operating days after the end of the applicable reporting period. The first report shall be submitted no later than 240 days after the date the Notification of Compliance Status Report is due and shall cover the 6-month period beginning on the date the Notification of Compliance Status Report is due.

(2) The owner or operator shall include the information specified in paragraphs (e)(2)(i) through (viii) of this section, as applicable.

(i) The information required under § 63.10(e)(3). For the purposes of this subpart and the information required

under § 63.10(e)(3), excursions (as defined in § 63.1283(d)(6)) shall be considered excess emissions.

(ii) A description of all excursions as defined in § 63.1283(d)(6) of this subpart that have occurred during the 6-month reporting period.

(A) For each excursion caused when the daily average value of a monitored operating parameter is less than the minimum operating parameter limit (or, if applicable, greater than the maximum operating parameter limit), as specified in § 63.1283(d)(6)(i), the report must include the daily average values of the monitored parameter, the applicable operating parameter limit, and the date and duration of the period that the excursion occurred.

(B) For each excursion caused when the 30-day average condenser control efficiency is less than 95.0 percent, as specified in § 63.1283(d)(6)(ii), the report must include the 30-day average values of the condenser control efficiency, and the date and duration of the period that the excursion occurred.

(C) For each excursion caused by lack of monitoring data, as specified in § 63.1283(d)(6)(iii), the report must include the date and duration of period when the monitoring data were not collected and the reason why the data were not collected.

(iii) For each inspection conducted in accordance with § 63.1283(c) during which a leak or defect is detected, the records specified in § 63.1284(b)(7) must be included in the next Periodic Report.

(iv) For each closed-vent system with a bypass line subject to § 63.1281(c)(3)(i)(A), records required under § 63.1284(b)(4)(iii) of all periods when the vent stream is diverted from the control device through a bypass line. For each closed-vent system with a bypass line subject to § 63.1281(c)(3)(i)(B), records required under § 63.1284(b)(4)(iv) of all periods in which the seal or closure mechanism is broken, the bypass valve position has changed, or the key to unlock the bypass line valve was checked out.

(v) If an owner or operator elects to comply with § 63.1275(b)(1)(ii), the records required under § 63.1284(c)(3).

(vi) The information in paragraphs (e)(2)(vi)(A) and (B) of this section shall

be stated in the Periodic Report, when applicable.

(A) No excursions.

(B) No continuous monitoring system has been inoperative, out of control, repaired, or adjusted.

(vii) Any change in compliance methods as specified in §63.1275(b).

(viii) If the owner or operator elects to comply with §63.1275(c)(2), the records required under §63.1284(b)(10).

(f) *Notification of process change.* Whenever a process change is made, or a change in any of the information submitted in the Notification of Compliance Status Report, the owner or operator shall submit a report within 180 days after the process change is made or as a part of the next Periodic Report as required under paragraph (e) of this section, whichever is sooner. The report shall include:

(1) A brief description of the process change;

(2) A description of any modification to standard procedures or quality assurance procedures;

(3) Revisions to any of the information reported in the original Notification of Compliance Status Report under paragraph (d) of this section; and

(4) Information required by the Notification of Compliance Status Report under paragraph (d) of this section for changes involving the addition of processes or equipment.

§ 63.1286 Delegation of authority.

(a) In delegating implementation and enforcement authority to a State under section 112(l) of the Act, the authorities contained in paragraph (b) of this section shall be retained by the Administrator and not transferred to a State.

(b) Authorities will not be delegated to States for §§63.1282 and 63.1287 of this subpart.

§ 63.1287 Alternative means of emission limitation.

(a) If, in the judgment of the Administrator, an alternative means of emis-

sion limitation will achieve a reduction in HAP emissions at least equivalent to the reduction in HAP emissions from that source achieved under the applicable requirements in §§63.1274 through 63.1281, the Administrator will publish a notice in the FEDERAL REGISTER permitting the use of the alternative means for purposes of compliance with that requirement. The notice may condition the permission on requirements related to the operation and maintenance of the alternative means.

(b) Any notice under paragraph (a) of this section shall be published only after public notice and an opportunity for a hearing.

(c) Any person seeking permission to use an alternative means of compliance under this section shall collect, verify, and submit to the Administrator information showing that this means achieves equivalent emission reductions.

§§ 63.1288–63.1289 [Reserved]

APPENDIX TO SUBPART HHH—TABLES

TABLE 1.—LIST OF HAZARDOUS AIR POLLUTANTS (HAP) FOR SUBPART HHH

CAS Number ^a	Chemical name
75070	Acetaldehyde
71432	Benzene (includes benzene in gasoline)
75150	Carbon disulfide
463581	Carbonyl sulfide
100414	Ethyl benzene
107211	Ethylene glycol
75050	Acetaldehyde
50000	Formaldehyde
110543	n-Hexane
91203	Naphthalene
108883	Toluene
540841	2,2,4-Trimethylpentane
1330207	Xylenes (isomers and mixture)
95476	o-Xylene
108383	m-Xylene
106423	p-Xylene

^aCAS numbers refer to the Chemical Abstracts Services registry number assigned to specific compounds, isomers, or mixtures of compounds.

TABLE 2 TO SUBPART HHH.—APPLICABILITY OF 40 CFR PART 63 GENERAL PROVISIONS TO SUBPART HHH

General provisions reference	Applicable to subpart HHH	Explanation
§ 63.1(a)(1)	Yes	